

Appl. No. 09/465,676
Amdt. dated December 12, 2003
Reply to Office Action of September 16, 2003

REMARKS/ARGUMENTS

In the Office Action, claims 1-11 were rejected under 35 USC 103(a) as unpatentable over Losey (US Patent No. 6,606,492) in view of Burges (US Patent No. 6,031,465) on the grounds set forth in the Office Action.

The present claimed invention discloses a method for transmitting data for a security device, in particular for access authorization systems and/or driving authorization systems of a motor vehicle. Data is transmitted over the air from a transmitter unit to a receiver unit after capacitive coupling of the transmitter unit and receiver unit is established. The data is transmitted from transmitter to receiver using a signal which is generated by a capacitive alternating field.

The claimed capacitive coupling of the transmitter unit and the receiver unit is established, for example, by approaching the motor vehicle (see page 6, lines 31-37 and page 4, lines 11-18 of the specification). A start (data) signal is generated/transmitted by a capacitive alternating field as stated on page 6, lines 12-20 of the specification. The start (data) signal is then transmitted to the receiver unit (see page 6, line 37 - page 7, line 12 of the specification.)

Claim 2 of the present invention adds the further step wherein after reception of the (start) signal an encoded information item is transmitted on a second wireless transmission link. The encoded information item is validated by comparing the information item with a predefined encoded information item in the receiver. If the encoded information item corresponds to the predefined encoded information item, a drive signal for the security device is initiated. The drive signal initiates the locking or unlocking of doors or the activation or deactivation of the vehicle motor (see page 2, line 34 - page 3, line 8 and page 5, line 28 - page 6, line 10).

Losey discloses a keyless entry system wherein, upon receipt of an authentication signal from a passive signaling device, a controller operates in one mode which permits convenient access to a user. If no authentication signal is received from a passive signaling device, then a signal may be received from a manual signaling device. According to the Examiner, Losey only fails to disclose the "capacitive alternating field". However, not only does Losey neither disclose nor suggest a capacitive alternating field as in the present claimed invention, but Losey also fails to disclose a more essential limitation of the present claimed invention. Specifically, Losey neither discloses nor suggests the "capacitive coupling" of the transmitter and the receiver as in the present claimed invention. The claimed capacitive coupling can only be achieved by forming a first capacitor in the receiver and a second capacitor in the transmitter as explained on page 3, lines 26-34 and page 6, lines 12-29 of the specification. Thus, as Losey neither discloses

either a capacitive alternating field or capacitive coupling of the transmitter and receiver as in the present claimed invention, it is respectfully submitted that the present claimed invention is not obvious in view of Losey.

Furthermore, the Examiner's citation of column 3, lines 1-10 simply describes the transmission of a signal when a key is inserted in a door lock, so that no manual activation by a user is required to start the transmission. Losey neither discloses nor suggests forming a capacitive coupling between the transmitter unit and receiver unit to transmit the data as in the present claimed invention. Additionally, Losey neither discloses nor suggests "transmitting the data from transmitter to receiver using a signal which is generated by a capacitive alternating field" as in the present claimed invention.

Burgess discloses a wireless remote-control transmitter having circuitry for entering an identification code so that only an authorized operator can use the device. Similarly to Losey, Burgess neither discloses nor suggests "capacitive coupling of the transmitter unit and receiver unit" as in the present claimed invention.

Additionally, Applicant respectfully disagrees with the Examiner's statement that Burgess discloses a capacitive alternating field. Rather, Burgess in column 4, lines 51-53 and column 5, lines 12-15; not column 5, lines 9-11 as cited by the Examiner, discloses "rolling codes" which are a well known method in connection with code generation. The capacitive alternating

field of the present invention describes the form of an analog electrical signal but not the nature of digital encoded information.

In view of the above remarks it is respectfully submitted that neither Losey nor Burgess disclose or suggest a capacitive coupling between in the transmitter as well as in the receiver as in the present claimed invention. Nor do Losey or Burgess disclose generating a signal by capacitive alternating field in order to transmit a data signal as claimed in claims 1 and 4 of the present invention. Therefore, it is respectfully submitted that Losey when taken alone, or in combination with Burgess does not make the present invention as claimed in claims 1 and 4 unpatentable. As claims 2 - 3 are dependent on claim 1 and claims 5 - 11 are dependent on claim 4, it is respectfully submitted that claims 2 - 3 and 5 - 11 are patentable for the same reasons as discussed above with respect to claims 1 and 4. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.


New claims 12-15 are added by this response. Support for new claims 12-15 is found on pages 5-7 of the specification. As new claims 12-14 are dependent on claim 1, it is respectfully submitted that claims 12-14 are allowable for the same reasons as discussed above with respect to claim 1. New claim 15 is an independent claim having limitations similar to claim 1. Therefore, it is respectfully submitted that new claim 15 is allowable for the same reasons as discussed above with respect to claim 1.

In the event there are further issues remaining the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.


Respectfully submitted,
Thorsten Bürger

by: 
MARTIN A. FARBER
Attorney for Applicant
Registered Representative
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on December 12, 2003.

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Martin A. Farber

866 United Nations Plaza
Suite 473
New York, NY 10017
(212) 758-2878